

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:10-CV-556-F

DUNKIN' DONUTS FRANCHISED  
RESTAURANTS, LLC

and

DD IP HOLDER, LLC

and

DB REAL ESTATE ASSETS I, LLC,  
Plaintiffs,

v.

BLITCH ENTERPRISES, INC.

and

GROOVER B. BLITCH

and

JOYCE BLITCH,  
Defendants.

ORDER

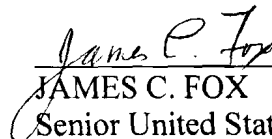
This matter is before the court on the Motion for Voluntary Dismissal [DE-23], pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, filed by Plaintiffs Dunkin' Donuts Franchised Restaurants, LLC, DD IP Holder, LLC and DB Real Estate Assets I, LLC (collectively hereinafter "Plaintiffs").

Plaintiffs claim that all disputes against Defendants Blitch Enterprises, Groover B. Blitch and Joyce Blitch (collectively hereinafter "Defendants") have been compromised and settled pursuant to a Settlement Agreement, signed by both parties, dated June 24, 2011. Accordingly,

Plaintiffs' Motion for Voluntary Dismissal [DE-23] is **ALLOWED** and this action is dismissed without prejudice. As agreed upon by both parties and within the court's discretion, the Settlement Agreement and accompanying exhibits filed is incorporated herein so that the court may retain jurisdiction over this matter to enforce the terms of the Settlement Agreement should Defendants fail to perform their obligations thereunder. Moreover, having allowed Plaintiffs' Motion for Voluntary Dismissal [DE-23], the Motion for Default Judgment [DE-12] filed February 22, 2011 is **DENIED** as moot.

SO ORDERED.

This the 5<sup>th</sup> day of August, 2011.

  
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JAMES C. FOX  
Senior United States District Judge